



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,171	04/05/2001	Hideki Matsumoto	684.3210	7813

5514 7590 08/19/2003

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

LEE, SUSAN SHUK YIN

ART UNIT	PAPER NUMBER
----------	--------------

2852

DATE MAILED: 08/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/826,171

Applicant(s)

MATSUMOTO ET AL.

Examiner

Susan S. Lee

Art Unit

2852

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-15, 18-20, 34-36, 39-41, 57, 59-61, 64-66 is/are allowed.
- 6) ☒ Claim(s) 1,3,5,6,8-11,16,17,21,22,24,26, 27, 29-32, 37, 38, 42-44,46,48-50,52-55,62 and 63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

Continuation of Disposition of Claims: Claims pending in the application are 1,3,5,6,8-11,13-22,24,26,27,29-32,34-44,46,48-50,52-55,57 and 59-66.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1, 3, 5, 6, 8, 9/6, 9/8/6, 10/9/6, 10/9/8/6, 11/1, 11/6, 16, 17/13, 17/16/15/13, 21/1, 21/6, 22, 24, 26/22, 26/24/22, 27, 29, 30/27, 30/29/27, 31/30/27, 31/30/29/27, 32/29/27, 32/27, 37, 38/34, 38/37/36/34, 42/22, 42/27, 43, 44, 46/43, 46/44, 48/43, 48/44, 49, 50, 52/49, 52/50, 53/44, 53/49, 53/50, 54/49, 54/50, 55/43, 55/44, 55/49, 55/50, 62/61/57, 62/61/59, 63/57, and 63/59 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

As to claim 1, line 8, "first electrode disposed along a length of said developing member" and line 9, "second electrode disposed along a length of said developing member" are not supported in the specification nor in the drawings. The electrodes 81 and 82 are not on the surface of the developing member as interpreted from the claim language, rather they appear to be disposed parallel to the developing member.

Art Unit: 2852

member" are not supported in the specification nor in the drawings. The electrodes 81 and 82 are not on the surface of the developing member as interpreted from the claim language, rather they appear to be disposed parallel to the developing member.

As to claim 9, lines 1-3, "said third electrode ... is disposed along a length of said developing member" is not supported in the specification nor in the drawings. As interpreted from the claim language, this third electrode is on the surface of the developing member.

As to claim 16, lines 1-3, "said third electrode ... is disposed along a length of said developing member" is not supported in the specification nor in the drawings. As interpreted from the claim language, this third electrode is on the surface of the developing member.

As to claim 17, lines 1-2, "said first electrode and said second electrode arranged along a length of said developing member" is not supported in the specification nor in the drawings. The electrodes 81 and 82 are not on the surface of the developing member as interpreted from the claim language, rather they appear to be disposed parallel to the developing member.

As to claim 22, line 8, "first electrode disposed along a length of said developing member" and line 9, "second electrode disposed along a length of said developing member" are not supported in the specification nor in the drawings. The electrodes 81 and 82 are not on the surface of the developing member as interpreted from the claim language, rather they appear to be disposed parallel to the developing member.

As to claim 27, line 8, "first electrode disposed along a length of said developing member" and line 9, "second electrode disposed along a length of said developing member" are not supported in the specification nor in the drawings. The electrodes 81 and 82 are not on the surface of the developing member as interpreted from the claim language, rather they appear to be disposed parallel to the developing member.

As to claim 37, lines 1-3, "said third electrode ... is disposed along a length of said developing member" is not supported in the specification nor in the drawings. As interpreted from the claim language, this third electrode is on the surface of the developing member.

As to claim 38, lines 2-3, "said first electrode and said second electrode arranged along a length of said developing member" is not supported in the specification nor in the drawings. The electrodes 81 and 82 are not on the surface of the developing member as interpreted from the claim language, rather they appear to be disposed parallel to the developing member.

As to claim 43, line 10, "first electrode disposed along a length of said developing member" and line 11, "second electrode disposed along a length of said developing member" are not supported in the specification nor in the drawings. The electrodes 81 and 82 are not on the surface of the developing member as interpreted from the claim language, rather they appear to be disposed parallel to the developing member.

As to claim 44, line 11, "first electrode disposed along a length of said developing member" and line 12, "second electrode disposed along a length of said developing member" are not supported in the specification nor in the drawings. The electrodes 81

and 82 are not on the surface of the developing member as interpreted from the claim language, rather they appear to be disposed parallel to the developing member.

As to claim 49, line 11, "first electrode disposed along a length of said developing member" and line 12, "second electrode disposed along a length of said developing member" are not supported in the specification nor in the drawings. The electrodes 81 and 82 are not on the surface of the developing member as interpreted from the claim language, rather they appear to be disposed parallel to the developing member.

As to claim 50, line 12, "second electrode disposed along a length of said developing member" is not supported in the specification nor in the drawings. The electrodes 82 is not on the surface of the developing member as interpreted from the claim language, rather they appear to be disposed parallel to the developing member.

As to claim 50, lines 12-15, "a second electrode disposed along a length of said developing member, wherein said first electrode is disposed such that at least a lower end thereof takes a position **lower** than the second electrode when the process cartridge is mounted to the main assembly of said electrophotographic image forming apparatus" is not found in the original disclosure nor in the drawings.

As to claim 53, lines 1-3, "the third electrode ... is disposed along a length of the developing member" is not supported in the specification nor in the drawings. As interpreted from the claim language, this third electrode is on the surface of the developing member.

As to claim 62, lines 1-3, "the third electrode ... is disposed along a length of the developing member" is not supported in the specification nor in the drawings. As

interpreted from the claim language, this third electrode is on the surface of the developing member.

As to claim 63, lines 1-3, "the first electrode and said second electrode arranged along a length of the developing member" is not supported in the specification nor in the drawings. The electrodes 81 and 82 are not on the surface of the developing member as interpreted from the claim language, rather they appear to be disposed parallel to the developing member.

Specification

The amendment filed 5/5/003 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: "first electrode disposed along a length of said developing member"; "second electrode disposed along a length of said developing member"; and "said third electrode ... is disposed along a length of said developing member" are not supported in the specification nor in the drawings; and "a second electrode disposed along a length of said developing member, wherein said first electrode is disposed such that at least a lower end thereof takes a position **lower** than the second electrode when the process cartridge is mounted to the main assembly of said electrophotographic image forming apparatus" is not found in the original disclosure nor in the drawings.

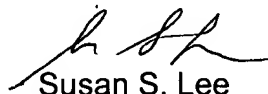
Applicant is required to cancel the new matter in reply to this Office Action.

Art Unit: 2852

Claims 13-15, 18, 19, 20/13, 20/16/15/13, 21/13, 34-36, 39/34, 39/37/36/34, 40, 41/37/36/34, 41/34, 42/34, 57, 59, 60/57, 60/59, 61/57, 61/59, 64/57, 64/59, 65/57, 65/59, 66/57, and 66/59 are allowed over the prior art of record.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan S. Lee whose telephone number is 703-308-2138. The examiner can normally be reached on Mon. - Fri., 10:30-8:00, Second Monday Off. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Art Grimley can be reached on 703-308-1373. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.


Susan S. Lee
Primary Examiner
Art Unit 2852

sl